IN THE HIGH COURT OF JUDICATURE AT BOBBY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 4358 OF 2004

Ravindra M. Sawant ..Applicant.

V/s.

The State of Maharashtra .. Respondent.

Shri Harshad V. Bhadbhade for Applicant.
Shri A.S. Gadkari, APP for Respondent.

CORAM : A.M.KHANWILKAR, J.
DATED : 18.10.2004

PC :-

. Heard the learned counsel for the parties. Perused the record.

. The indicent has happened in the month of February, 2003 and the Applicant has been arrested in connection with the said incident and is in custody since then. Chargesheet has also been filed on 29th March, 2004. Before the lower court, the public prosecutor fairly made endorsement on the bail application that the applicant be granted bail on condition. The learned APP for the State accepts that such endorsement was made on the application as filed before the lower court. He, however, submits that

this is not a fit case for grant of bail. On considering rival submission and perusing the record, to my mind applicant deserves to be enlarged on bail not only because the matter has not been committed to the sessions court inspite of the filing of the chargesheet as back as on 29th March, 2004 but also because from the injury certificate, it is noticed that the deceased succumbed to the fatal injury on the head, which was the only blow given by the Applicant. Taking overall view of the matter, the applicant deserves to be enlarged on bail on certain conditions as under:-

> The Applicant be released on bail in connection with C.R.No. 14/2004, registered with Rajapur Police Station, on executing personal bond in the sum of Rs. 25,000/- (Rs. Twenty -five thousand only) with two local sureties in the like amount.
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> The applicant shall not enter the jurisdiction of Rajapur Police Station during pendency of the trial.

The applicant shall inform his place of residence to the nearest police station as well as the investigating officer within one week from the date of release on bail. In addition, the applicant shall report to the nearest police station once in a fortnight on Saturday between 10 a.m. to 1 p.m.

The Applicant shall extend full co-operation for early disposal of the trial. If the trial court is of the opinion that the applicant is responsible for delay in trial that fact be recorded in the Rozanama, which can be a ground for cancellation of bail.

The applicant shall not influence the prosecution witness or tamper with the prosecution evidence in any manner whatsoever.

. Order accordingly.

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